

ST. MARY'S COUNTY BOARD OF APPEALS

In the Matter of the Appeal of Walter Burch

Case No. 15-03

DECISION AND ORDER

I. Introduction

Walter Burch (hereinafter "Appellant") appealed the action of the Director.

After due notice, a public hearing was conducted by a Hearing Examiner on December 16, 2015, at the Governmental Center in Leonardtown, Maryland, and all persons desiring to be heard were heard, documentary evidence received, and the proceedings recorded electronically. The Hearing Examiner filed a Report dated February 17, 2016. After due notice, the evidence and the Report of Hearing Examiner was considered by the Board on April 14, 2016.

II. Legal Standard: The legal standard is whether the decision of the Director is supported by the evidence. An appeal is a de novo proceeding.

III. Summary of Testimony: The testimony is summarized in the Report of the Hearing Examiner.

III. Summary of Documentary Evidence: The documentary evidence is listed in the Report of the Hearing Examiner.

IV. Findings of Fact: The Board adopts the Findings of Fact of the Hearing Examiner.

V. Conclusions of Law: The Board adopts the Conclusions of Law of the Hearing Examiner.

DECISION AND ORDER

NOW, THEREFORE, BE IT ORDERED, that the action of the Director is **AFFIRMED**.

This Date: May 12, 2016

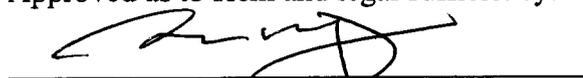

George A. Hayden, Chairman

Those voting to affirm the Planning Director:

Mr. Hayden, Mr. Brown, Mr. Greene, Mr. Miedzinski and Mr. Payne

Those voting to reverse the Planning Director:

Approved as to form and legal sufficiency:


George R. Sparling, County Attorney